

Appl. No 10/734,539

Amdt. Dated 06/06/2006

Reply to Office action of 02/27/2006

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**REMARKS/ARGUMENTS**

In claim 1, the “rubber” has been deleted. In claims 2, 3 and 4, the phrases “can be” have been replaced with “is” so as to prevent indefiniteness.

10 Claims 1, 3 and 4 are rejected under 35 U.S.C. 103(a) as being unpatentable over Pontiff (US 5348458) in view of Chang et al (US 5785909), and claim is rejected under 35 U.S.C. 103(a) as being unpatentable over Pontiff (US 5348458) in view of Chang et al (US 5785909) further in view of Yang (US 5503786). However, applicant submits that these three cited references are completely different from the present invention in terms of manufacturing process, and the reasons are explained as follows:

15 In Pontiff (US 5348458), the foaming material is foamed before getting into the mold, namely, the foaming material is foamed after being ejected out of the accumulator 5 and then pressed into the mold cavity 23 to form into a final shape. However, the foaming material of the present invention is directly put into the mold having a desired shape and then foamed  
20 therein into a sole having the desired shape.

Chang (US 5785909) is related to a method of foaming PU and pouring the foamed onto the vamp, which is different from the method of the

present invention of putting the solid foaming material directly into the mold cavity.

Yang (US 5503786) relates to a method of forming air bag in a sole by placing a plurality of sole-shaped EVA sheet materials 10 into a mold and a smaller PVC film 20 arranged between the sheet materials. The sheet material 10 and the film 20 must be pre-cut into a predetermined shape and then are hot pressed together to form a sole with an air chamber. It is to be noted that the sheet material 10 and the film 20 are not foamed but hot pressed together in the mold. Therefore, Yang is also different from the present invention.

In view of the foregoing amendments and arguments, applicant submits that the application is now in a condition for allowance and such action is respectfully requested. If any points remain in issue, which the Examiner feels could best be resolved by either a personal or a telephone interview, he is urged to contact Applicant's attorney at the exchange listed below.

Applicant respectfully request that a timely Notice of Allowance be issued in this case.

Respectfully submitted,

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